

AO 91 (Rev. 5/85) Criminal Complaint

SEALED DOCUMENT PURSUANT TO E-GOVERNMENT ACT OF 2002

Filed

8-18-08
Clerk, U. S. District Court
Western District of Texas

By

Deputy

United States District Court

WESTERN DISTRICT OF TEXAS

SEALED

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

CASE NUMBER: SA 08-735M

Jennifer Richards

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 7, 2008 in Bexar county, in the Western District of Texas defendant(s) did, (Track Statutory Language of Offense)

using the mail or any facility or means of interstate or foreign commerce, knowingly initiate the transmission of the name, address, telephone number, social security number or electronic mail address of another individual, knowing that such other individual has not attained the age of 16 years, with the intent to entice, encourage, offer or solicit any person to engage in any sexual activity for which any person can be charged with a criminal offense

in violation of Title 18, United States Code, Section(s) 2425

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

Official Title

See Attached Affidavit

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ No

[Signature]
Signature of Complainant
Agent Rex Miller
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

8-18-08
Date

at San Antonio, Texas
City and State

Nancy Stein Nowak
Name & Title of Judicial Officer

U.S. Magistrate Judge

[Signature]
Signature of Judicial Officer

SEALED

AFFIDAVIT OF SPECIAL AGENT REX MILLER

I, Rex Miller, being duly sworn, hereby depose and say:

1. I am a Special Agent ("SA") of the Federal Bureau of Investigation ("FBI") and have been so employed for approximately five years. I am currently assigned to the San Antonio, Texas Division of the FBI. I am the Innocent Images Coordinator for the San Antonio Division and as such, I investigate crimes against children, including the trafficking and possession of child pornography. I have received particularized training in the investigation of computer-related crimes, Usenet, peer-to-peer computer networking, and online (i.e. Internet based) crimes against children. I have conducted and been involved in numerous investigations of individuals suspected of producing, distributing and receiving child pornography and have participated in the execution of numerous search warrants which have resulted in the seizure of multiple items of child pornography. I have had the occasion to become directly involved in investigations relating to the sexual exploitation of children, to observe and review extensive examples of child pornography in various media formats, including computer-based formats. I have also received training in the investigation and detection of cases involving the sexual exploitation of children and child pornography.

2. This affidavit is submitted in support of an application for a criminal complaint charging Jennifer Richards, of [REDACTED] San Antonio, Texas 78217, with a violation of Title 18, United States Code, Section 2425.

3. The information set forth in this affidavit is based on investigation conducted by this affiant and other law enforcement agents. This affidavit does not contain every fact known to me with respect to this investigation. Rather, it contains those facts that I believe to be necessary to establish probable cause for the issuance of a criminal complaint for Jennifer Richards, charging

her with use of interstate facilities to transmit information about a minor in violation of Title 18, United States Code, Section 2425.

RELEVANT STATUTES

4. Title 18, United States Code, Section 2425, entitled "Use of interstate facilities to transmit information about a minor" provides in relevant part: whoever, using the mail or any facility or means of interstate or foreign commerce, knowingly initiates the transmission of the name, address, telephone number, social security number, or electronic mail address of another individual, knowing that such other individual has not attained the age of 16 years, with the intent to entice, encourage, offer, or solicit any person to engage in any sexual activity for which any person can be charged with a criminal offense, shall be punished.

Background of Investigation

5. On 08/07/2008, an FBI Cooperative Witness (CW), who has provided reliable and credible information to the FBI in the past, and who had a casual preexisting relationship with Sean Michael Block (Block), received a text message from Block advising that "Nice piece 5 yrs old belongs to my gf and she wants to sell it." The CW contacted affiant with this information and advised that the CW interpreted this text message to mean that Block had a girlfriend that was interested in providing a 5 year old child to CW for sexual interactions for profit. A short time after receiving this text, the CW, at affiant's direction, conducted a telephonic conversation with Block that was recorded by the CW. During this conversation, Block advised that he was involved in a sexual relationship with a woman named Jenn Last Name Unknown (LNU) who was also employed at the [REDACTED] Block advised the CW that Jenn LNU had a five year old daughter that she desired to have engage in sexual contact with an adult male. Block advised that Jenn LNU was also looking for an individual that could supplement her

income as well. Block indicated to the CW that Block had thought of the CW as an individual that not only could have sexual interactions with this five year old female, but could also potentially supplement Jenn LNU's income. Block advised the CW that he was not participating in sexual activity with the five year old female because his sexual preference was "13 or 14 year old" females.


6. On 08/07/2008, the CW conducted numerous telephonic conversations with Jenn LNU. These telephonic conversations allowed Jenn LNU to be more fully identified as Jennifer Richards, date of birth, 7/13/1983, living in San Antonio, Texas. During these telephonic conversations, Richards advised the CW that Richards desired for an adult male to engage in sexual interactions with her five year old daughter, hereinafter referred to as (5 yo). Richards advised that she was of the belief that these sexual interactions would be a positive experience for (5 yo) and that Richards would receive sexual gratification from observing the CW engage in sexual interactions with (5 yo). Richards also informed the CW that she desired for the CW to furnish an apartment and a used automobile to Richards in order to facilitate this sexual interaction between (5 yo) and the CW. On or about August 7, 2008, Richards, using her blackberry, transmitted images of (5 yo) as well as her ten month old daughter, referred to herein as (10 month old) to the CW's cellular telephone. Included with the images of both minor children were the names of each minor child, along with their ages, and a message that read "here are some pictures of me and my girls. (5yo) is the oldest at 5. And the babe is 10 months. Hope you like them."

7. On 08/15/2008, the CW picked up Richards at her place of employment. The two drove to the Chili's restaurant in [REDACTED] Texas. The CW went inside the restaurant and Richards drove the CW's vehicle to her parents residence in [REDACTED] Texas, and pickup her two children,

(5 yo) and (10 month old), and drove them back to the Chili's restaurant for the purpose of introducing her children to the CW.

CONCLUSION

8. Based on the foregoing facts, to the best of my knowledge and belief, Jennifer Richards has committed the criminal offense of the use of interstate facilities to transmit information about a minor in violation of Title 18, United States Code, Section 2425.


Special Agent Rex Miller
Federal Bureau of Investigation

Sworn to before me this
18 day of August, 2008


HON. NANCY STEIN NOWAK
UNITED STATES MAGISTRATE JUDGE